

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG**

**WILLIAM STRASBURG,**

Plaintiff,

v.

**CIVIL ACTION NO.: 3:22-CV-126  
(GROH)**

**MINERAL COUNTY MAGISTRATE'S OFFICE,  
CHARLES R. GULBRONSON,  
AUGUSTA WV REGIONAL JAIL,  
TROOPER HARTMAN,  
TROOPER TRENTON,  
TROOPER KERNS, and  
WEST VIRGINIA STATE POLICE,**

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Now before the Court is a Report and Recommendation ("R&R") issued by United States Magistrate Judge Robert W. Trumble. ECF No. 11. Pursuant to this Court's prior Order of Referral [ECF No. 7], this civil action was referred to Judge Trumble for submission of a proposed R&R. Judge Trumble issued an R&R on August 24, 2022, recommending that the Plaintiff's Complaint [ECF No. 1] be dismissed without prejudice and that the Plaintiff's related motions [ECF Nos. 2, 3, 4, 5, 8, 10] be denied as well.

Pursuant to 28 U.S.C. § 636(b)(1)(C), this Court must make a de novo review of those portions of the magistrate judge's findings to which objection is made. However, the Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. Thomas v. Arn, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of de novo review and of


the Plaintiff's right to appeal this Order. 28 U.S.C. § 636(b)(1); Snyder v. Ridenour, 889 F.2d 1363, 1366 (4th Cir. 1989).

Objections to the R&R were due within fourteen plus three days of the Plaintiff being served with a copy of the same. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). The Plaintiff accepted service of the R&R on September 22, 2022. ECF No. 12. As of the date of this Order, no objections have been filed. Therefore, after allowing additional time for transit in the mail, the Court finds that the deadline for the Plaintiff to submit objections to the R&R has passed. Accordingly, this Court will review the R&R for clear error.

Upon careful review of the R&R, it is the opinion of this Court that Magistrate Judge Trumble's Report and Recommendation [ECF No. 11] should be, and is hereby, **ORDERED ADOPTED**. For the reasons more fully stated in the R&R, the Court **ORDERS** that the Plaintiff's Complaint [ECF No. 1] be **DISMISSED WITHOUT PREJUDICE** and that the Plaintiff's related Motions [ECF Nos. 2, 3, 4, 5, 8, 10] be **DENIED**. Lastly, to the extent that any transfer of jurisdiction occurred, the undersigned **ORDERS** that the state criminal matter of State v. William Joseph Strasburg, No. 22-M29M-390, be **REMANDED** to the Magistrate Court of Mineral County, West Virginia, and that the state criminal matter of State v. William Joseph Strasburg, No. 22-M12M-645, be **REMANDED** to the Magistrate Court of Grant County, West Virginia.

The Clerk of Court is **DIRECTED** to **STRIKE** this case from the Court's active docket. The Clerk is **FURTHER DIRECTED** to mail a copy of this Order to the pro se Plaintiff by certified mail, return receipt requested, at his last known address as reflected on the docket sheet.

**DATED:** February 13, 2023

  
GINA M. GROH  
UNITED STATES DISTRICT JUDGE